

**EXECUTIVE ORDERS, PROCLAMATIONS OF
GENERAL APPLICABILITY, AND STATEMENTS
ISSUED BY THE GOVERNOR
PURSUANT TO A.R.S. § 41-1013(B)(3)**

The Administrative Procedure Act (APA) requires the full-text publication of all Executive Orders and Proclamations of General Applicability issued by the Governor. In addition, the *Register* shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed. With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

*** ARIZONA STEEL DAY ***

[M13-236]

WHEREAS, the structural steel industry annually provides structural steel framing systems for more than 500 million square feet of new building construction throughout Arizona and other states; and

WHEREAS, the structural steel industry provides employment for more than 150,000 workers in Arizona and other states; and

WHEREAS, the structural steel industry has demonstrated a significant commitment to sustainable construction through the use of structural steel products made from 93 percent recycled materials from old cars, appliances, stoves, manufacturing waste, curb-side recycling and deconstructed buildings; and

WHEREAS, 98 percent of the structural steel in a building is recycled at the end of the building's life; and

WHEREAS, structural steel's high strength-to-weight ratio and low carbon footprint help to minimize environmental impacts; and

WHEREAS, the American Institute of Steel Construction has declared October 4, 2013 as Steel Day throughout the United States with more than 150 events held nationwide.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim October 4, 2013 as

*** ARIZONA STEEL DAY ***

in recognition of the contribution of the Arizona structural steel industry to the economy and infrastructure of the State of Arizona.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this sixth day of August in the year Two Thousand and Thirteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

ATTEST:
Ken Bennett
Secretary of State

*** ARIZONA'S SALSA TRAIL MONTH ***

[M13-235]

WHEREAS, sprinkled throughout the small Southern Arizona communities of Safford, Pima, Thatcher, Solomon, Clifton, Duncan, and York are family-owned Mexican restaurants who serve terrific food with a smile, who have all joined together to make up Arizona's Salsa Trail; and

WHEREAS, Arizona's Salsa Trail is an important tourism destination that has contributed significantly to the economy of Graham and Greenlee Counties and the State of Arizona; and

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WHEREAS, the SalsaFest is an annual festival established to celebrate the Salsa Trail business; and

WHEREAS, September 27 and 28, 2013, marks the 7th Annual SalsaFest held in Safford Town Square; and

WHEREAS, the SalsaFest has continued to grow each year to include salsa making contests, a festival marketplace, salsa music, entertainment, hot air balloons, Chihuahua races, costume contest, Hot Cars on the Salsa Trail, and *if you can stand the heat*, jalapeño and salsa eating competitions for the bravest of the brave Arizonans and guests; and

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 2013 as

*** ARIZONA'S SALSA TRAIL MONTH ***

and along with Graham County, I invite residents and visitors to enjoy the Salsa Trail and the 7th Annual SalsaFest.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this thirtieth day of July in the year Two Thousand and Thirteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

ATTEST:
Ken Bennett
Secretary of State

*** CAMPUS FIRE SAFETY MONTH ***

[M13-237]

WHEREAS, since January 2000, at least 155 people, including students, parents and children have lost their lives in campus-related fires with over 85 percent of these deaths having occurred in off-campus occupancies; and

WHEREAS, automatic fire alarm systems and smoke alarms provide a necessary early warning of a fire to occupants and local fire departments so that appropriate action can be taken; and

WHEREAS, automatic fire sprinkler systems are a highly effective method of controlling or extinguishing a fire in its early stages, protecting the lives of the building's occupants; and

WHEREAS, a majority of students across the nation live in off-campus housing that is not adequately protected with automatic fire sprinkler systems, automatic fire alarm systems, or smoke alarms; and

WHEREAS, fire safety education is an effective method of reducing the occurrence of fires and reducing the resulting loss of life and property; and

WHEREAS, it is vital to educate citizens about the importance of fire safety, in order to ensure the well-being of students for the college years and beyond.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 2013 as

*** CAMPUS FIRE SAFETY MONTH ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this sixth day of August in the year Two Thousand and Thirteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

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ATTEST:
Ken Bennett
Secretary of State

* **CONSTITUTION WEEK** *

[M13-238]

WHEREAS, September 17, 2013 marks the 226th anniversary of the drafting of the Constitution of the United States of America which has proven to be an enduring guide that has secured the blessings of liberty for every generation of Americans; and

WHEREAS, the Constitution's framework for establishing and preserving liberty, justice, and opportunity has enabled us to prosper as a Nation and thrive as a people; and

WHEREAS, our Constitution is a living document that defends the principles of democracy and freedom and allows our Nation to shine as a beacon of democracy, tolerance, compassion and generosity; and

WHEREAS, educating our citizens about the principles of the Constitution allows us to reflect on the rights and privileges of citizenship and to work to ensure that the blessings of life, liberty and the pursuit of happiness endure and extend for generations to come.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 17 – 23, 2013 as

* **CONSTITUTION WEEK** *

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this sixth day of August in the year Two Thousand and Thirteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

ATTEST:
Ken Bennett
Secretary of State

EXECUTIVE ORDER 2012-03

State Regulatory Review, Moratorium and Streamlining To Promote Job Creation and Retention

Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on December 31, 2014, as a notice to the public regarding state agencies' rulemaking activities.

[M12-226]

WHEREAS, my first official action as Governor was to institute a regulatory rule making review and moratorium process ("regulatory review and moratorium") in order to prevent any additional burdens on Arizona's private sector employers and political subdivisions; and

WHEREAS, this rule making review and moratorium process has continued by session law or executive order to this day; and

WHEREAS, a predictable regulatory climate in this State will promote job creation and retention; and

WHEREAS, Arizona's efforts are being rewarded, such as being ranked as one of the top ten best states for business in a survey of chief executive officers this year, the eighth best for job growth in the last year, and the top state for innovators starting new business; and

WHEREAS, last January, I determined that State agencies needed to quicken the pace on streamlining existing rules and reducing wasted time in regulatory processes to increase Arizona's economic competitiveness and job creation, while still protecting public health, safety and the environment; and

WHEREAS, the 50th Legislature passed and I signed into law House Bill 2744 (2012 Arizona Laws, Chapter 352) which permits a state agency to conduct expedited rulemaking to streamline existing rules; and

WHEREAS, this expedited rulemaking authority will be used, in part, by State agencies to implement the "lean" waste reduction initiative I announced last January to increase the efficiency and service quality of State agencies; and

WHEREAS, I encourage the general public and regulated community to bring forward ideas to State agencies and the Governor's Regulatory Review Council on what rules need to be streamlined and how that can be best achieved while still protecting public health, safety and the environment; and

WHEREAS, the current regulatory review and moratorium expires on June 30, 2012.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this State hereby declare the following:

1. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any rule making except as permitted by this Order. The objective of this Order is to eliminate any unnecessary increased monetary or regulatory costs on employers, persons, individuals, other state agencies, or political subdivisions of this State. This prohibition includes any informal rule making prior to the commencement of the formal rule making process.
2. Paragraph 1 does not apply to state agency rule making for any one or more of the following reasons:
 - a. To fulfill an objective related to job creation in this State.
 - b. To lessen or ease a regulatory burden while achieving the same regulatory objective.
 - c. To prevent a significant threat to the public health, peace or safety.
 - d. To avoid a violation of a court order or federal law that would result in sanctions by a court or federal government against an agency for failure to conduct the rulemaking action.
 - e. To comply with a federal statutory or regulatory requirement or a state statutory requirement if the applicable statute or regulation contains a date certain for compliance on or before December 31, 2014 or is necessary under subparagraph (c) of this paragraph.
 - f. To fulfill an obligation related to fees or any other action necessary to implement the state budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
 - g. To promulgate a rule or other item that is exempt from Title 41, Chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
 - h. To address matters pertaining to the control, mitigation or eradication of waste, fraud or abuse within a state agency or wasteful, fraudulent or abusive activities perpetrated against a state agency.
3. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any informal or formal rule making pursuant to Paragraph 2 or otherwise without the prior written approval of the Office of the Governor.
4. This order applies to all state agencies, except for: (a) any state agency that is headed by a single elected state official, (b) the Corporation Commission, or (c) any state agency whose agency head is not appointed by the Governor.
5. All state officials and state agencies that are not subject to this Order pursuant to Paragraph 4 are encouraged to participate voluntarily within the context of their own rule making process.
6. State agencies may continue a rule making that was authorized by the Office of the Governor on or after January 22, 2009. All state agencies, subject to this Order pursuant to Paragraph 4, shall report to the office of the Governor by July 31, 2012 all pending and anticipated rule making requests. Beginning fiscal year 2013 all state agencies shall submit to the Office of the Governor by the end of each fiscal year an annual report of all pending and anticipated rule making to Office of the Governor.
7. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a state agency.
8. For the purposes of this executive order, "person," "rule" and "rule making" have the same meanings prescribed in section 41-1001, Arizona Revised Statutes.
9. This Executive Order expires on December 31, 2014.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix, Arizona this 26th day of June in the year Two Thousand Twelve and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State